

**REMARKS/ARGUMENTS**

The Examiner is thanked for the Official Action dated December 30, 2004. This amendment and request for reconsideration is intended to be fully responsive thereto.

Claims 1-10 were rejected under 35 USC §112, second paragraph. Claim 1 has been amended solely to confirm recitation of the air intake device in combination with the internal combustion engine. No new matter has been added. This amendment is intended solely to overcome the rejection under 35 USC §112, second paragraph.

Claims 1, 3-6 and 8-10 were rejected under 35 U.S.C. 102(b) as being anticipated by Lockwood et al. (USPN 5,025,889). The Applicant respectfully disagrees.

The Examiner alleges that the noise reducer of Lockwood includes a primary inlet duct (an outer duct 30), a secondary inlet duct (an inner duct 36) and a reflector wall (a closure 42). However, the examiner fails to recognize that the primary inlet duct (the outer duct 30 of Lockwood) lacks a front end provided with an inlet opening. Contrary to the Examiner's allegation, the front end of the outer duct 30 is closed with the closure 42. Moreover, the secondary inlet duct 36 of Lockwood lacks a rear end closed with the reflector wall having a hole therethrough. In fact, the rear end of the secondary inlet duct 36 of Lockwood is open, while the closure 42 extends radially outwardly away from the secondary inlet duct 36 to close the front end of the primary inlet duct 30.

Therefore, the rejection of claims 1, 3-6 and 8-10 under 35 U.S.C. 102(b) as being

anticipated by Lockwood is improper.

Claims 1, 3-6 and 8-10 were rejected under 35 U.S.C. 102(b) as being anticipated by Wilson (USPN 2,403,699). The applicant respectfully disagrees.

The Examiner refers to the cylindrical shell 70 as the primary inlet duct and the tube 81 as the secondary inlet duct.

First, Wilson teaches a silencer not the air intake device. One of ordinary skill in the art would appreciate that the silencer cannot not generate sound waves enhancing propagation of an intake air flow toward cylinders of the internal combustion engine, as recited in claim 1. Contrary to the present invention, the silencers suppress propagation of the sound waves.

Second, the secondary inlet duct 81 of Wilson, as interpreted by the Examiner, fails to disclose a rear end closed with a reflector wall. Moreover, the primary inlet duct 70, as interpreted by the Examiner, fails to disclose a front end provided with an inlet opening. As clearly shown in Fig. 1, the front end of the cylinder 70 is closed with a head plate 72. Moreover, the primary inlet duct 70 of Wilson does not extend through a hole in the reflector wall of the secondary inlet duct 81, as the secondary inlet duct 81 has an open rear end.

Therefore, the rejection of claims 1, 3-6 and 8-10 under 35 U.S.C. 102(b) as being anticipated by Wilson is improper.

Claim 7 was rejected under 35 U.S.C. 103(a) as being unpatentable over Wilson. Applicant respectfully disagrees.

As argued above, claim 1 defines the present invention over Wilson. Claim 7 depends

upon claim 1 and further defines the present invention over Wilson.

Claim 2 was rejected under 35 U.S.C. 103(a) as being unpatentable over Wilson as applied to claim 1 above, and further in view of Gillingham et al. (US 6,048,386). Applicant respectfully disagrees.

First, as argued above, claim 1 defines the present invention over Wilson. Claim 2 depends upon claim 1 and further defines the present invention over Wilson.

Second, Gillingham discloses a resonator 202 connected to an air filter 204. It is well known in the automotive art that the resonator is any device that attenuates pressure spikes. Contrary to Gillingham, the air intake device of the present invention generates sound waves (or pressure spikes) enhancing propagation of an intake air flow.

Therefore, even if combination and modification of Wilson and Gillingham, suggested by the Examiner, could be made, the resulting air intake device still would lack the primary inlet duct extending through the hole in the reflector wall of the secondary inlet duct and having the front end provided with the inlet opening, and the secondary inlet duct having the rear end closed with the reflector wall. Moreover, the combination and modification of Wilson and Gillingham would lack the double-tube chamber generating the sound waves enhancing propagation of an intake air flow toward the cylinder of the internal combustion engine through the primary inlet duct.

Thus, the rejection of claim 2 under 35 U.S.C. 103(a) is improper.

Claim 7 has been amended to correct a minor informality.

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Reply to Office Action of Dec. 30, 2004

New claims 11-20 have been added. Claims 11-20 recite the air intake device alone.

Therefore, it is respectfully submitted that claims 1-20 define the invention over the prior art of record and are in condition for allowance, and notice to that effect is earnestly solicited. Should the Examiner believe further discussion regarding the above claim language would expedite prosecution they are invited to contact the undersigned at the number listed below.

Respectfully submitted:  
Liniak, Berenato & White

By: \_\_\_\_\_

  
George Ayvazov  
Reg. No. 37,483

6550 Rock Spring Drive, Suite 240  
Bethesda, Maryland 20817  
Tel. (301) 896-0600  
Fax (301) 896-0607